

Message Text

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DEPT. PLEASE PASS LABOR DEPT. AND USIA LABOR ADVISOR

ED MCHALE

E.O. 11652: N/A

TAGS: ELAB, AR

SUBJ: REQUEST FOR LABOR-RELATED INFORMATION MATERIALS AND
REFERENCES

REFERENCE: BA-8024

1. THE ARGENTINE NAVY'S PROPOSAL TO CHANGE THE LAW OF PROFESSIONAL ASSOCIATIONS BY GRANTING "PERSONERIA GREMIAL" (LEGAL TRADE UNION "PERSONALITY" OR RECOGNITION) ONLY TO UNION ORGANIZATIONS "IN THE FIRST DEGREE" (I.E. UNION LOCALS OR CENTRALIZED PROVINCIAL OR NATIONAL UNIONS) AND NOT TO FEDERATIONS OR CONFEDERATIONS (I.E. FEDERALIZED NATIONAL UNIONS OR THE CGT) HAS OPENED A PANDORA'S BOX OF ISSUES RELATING TO HOW FAR THE NEW LAW SHOULD GO IN MODIFYING THE MONOLITHIC, CORPORATE STATE-UNION STRUCTURE ESTABLISHED BY PERON. UNDER CURRENT ARGENTINE LAW THERE IS ONLY ONE LEGALLY RECOGNIZED UNION PER INDUSTRY OR ACTIVITY. IN ORDER TO BE BETTER PREPARED TO RESPOND TO INQUIRIES AND PERHAPS ORGANIZE A SERIES OF TALKS ON THE SUBJECT, EMBASSY WOULD APPRECIATE MATERIALS AVAILABLE AND/OR CITATIONS OF APPROPRIATE REFERENCES COVERING THE FOLLOWING ASPECTS OF U.S. LABOR LAW AND PRACTICE:

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A) THE DEGREE TO WHICH FREEDOM OF ASSOCIATION AND THE RIGHT TO BARGAIN COLLECTIVELY ARE QUALIFIED BY FEDERAL OR STATE CERTIFICATION, INCORPORATION OR REGISTRATION REQUIREMENTS, AND THE PURPOSES AND SIGNIFICANCE OF SUCH REQUIREMENTS;

B) A LISTING OF THE TYPES OF SITUATIONS WHICH CALL FOR NLRB CERTIFICATION (A SUMMARY STATEMENT OF THE FUNCTIONS

OF THE NLRB WOULD ALSO BE USEFUL, WITH SPECIAL EMPHASIS ON CERTIFICATION REQUIREMENTS, IF ANY, FOR UNION COLLECTIVE BARGAINING UNITS AND UNION ELECTION OF OFFICERS; THE DEGREE TO WHICH UNITS CAN FREELY BE FORMED TO BARGAIN WITH MANAGEMENT WITHOUT ANY CERTIFICATION OR REGULATION BY GOVERNMENT BODIES; THE DEGREE TO WHICH AND CIRCUMSTANCES UNDER WHICH, IF ANY, NATIONAL UNIONS PER SE (AS OPPOSED TO THEIR SUBORDINATE UNITS) HAVE BEEN SUBJECT TO CERTIFICATION OR REGISTRY REQUIREMENTS;

C) INFORMATION CONCERNING THE SIZE, AREA OF JURISDICTION AND LEVEL OF BARGAINING UNITS IN THE US, FOR EXAMPLE, DATA CONCERNING THE NO. OF NEGOTIATIONS AT PLANT AS OPPOSED TO COMPANY-WIDE AND INDUSTRY LEVELS; THE DIFFERENT COMBINATIONS OF LABOR/MANAGEMENT UNITS THAT ARE FOUND IN US NEGOTIATIONS (E.G. NATIONAL OR INTERNATIONAL UNION VERSUS INDUSTRY, NATIONAL OR INTERNATIONAL UNION VS. COMPANY ETC.); AND HOW INDUSTRY-WIDE OR COMPANY-WIDE AGREEMENTS ARE ADJUSTED FOR PECULIAR INDIVIDUAL PLANT OR GEOGRAPHICAL AREA CIRCUMSTANCES;

D) BREAKDOWN OF THE NO. OF UNION SHOPS, AGENCY SHOPS, SHOPS WITH MAINTENANCE-OF-MEMBERSHIP PROVISIONS, ETC.; (IN ADDITION TO THE AGENCY SHOP, UNDER WHAT OTHER CIRCUMSTANCES MAY NON-UNION MEMBERS BE COMPELLED TO PAY UNION DUES; HOW EXTENSIVE IS THE AGENCY-SHIP ARRANGEMENT?; DO NON-UNION MEMBERS NORMALLY PARTICIPATE IN STRIKE VOTES OR IN THE ELECTION OF SHOP STEWARDS AND PLANT COMMITTEES?); THE DEGREE TO WHICH CLOSED-SHOP CONTRACTS, OR VARIATIONS THEREOF, STILL EXIST IN PRACTICE, NOTWITHSTANDING THE TAFT-HARTLEY ACT, AND A UNCLASSIFIED

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DESCRIPTION OF THE METHOD USED TO CIRCUMVENT THIS PROVISION OF THE LAW: JUDICIAL DECISIONS REGARDING THE VARIOUS SHOP ARRANGEMENTS; THE NO. OF STATES WITH RIGHT-TO-WORK LAWS AND RECENT EXPERIENCES AND EFFECT OF SUCH LAWS;

E) A BREAKDOWN, IF AVAILABLE, OF THE NO. OF CRAFT VERSUS COMPANY AND INDUSTRIAL UNIONS IN THE US. OR MIXTURES THEREOF; (A DIRECTORY OF ALL NATIONAL AND INTERNATIONAL UNIONS IN THE US WOULD BE VERY HELPFUL, INCLUDING THE TYPES OF WORKERS OR WORK ACTIVITIES INCLUDED IN THEIR JURISDICTIONS, NAMES OF THE UNION LEADERS AND ADDRESSES OF THEIR RESPECTIVE HEADQUARTERS;

F) THE LATEST AVAILABLE FIGURES ON THE NO. OF UNIONIZED WORKERS IN THE US WORK FORCE AND THE PROPORTION AFFILIATED TO THE AFL-CIO, AS WELL AS CURRENT TRENDS;

G) THE NO. OF WORKERS ADHERING TO THE CHECK-OFF SYSTEM OF UNION DUES; THE AMOUNT OF DUES PAID BY UNION MEMBERS AND THE AMOUNT OF ASSESSMENTS PAID BY AFL-CIO LOCALS TO THE IR

NATIONAL UNIONS, CITY CENTRALS, STATE FEDERATIONS, THE AFL-CIO, AFL-CIO TRADE DEPTS., ETC.; ARE THERE ARRANGEMENTS UNDER WHICH CHECK-OFF UNION DUES ARE ASSIGNED DIRECTLY TO THE NATIONAL UNION RATHER THAN UNION LOCALS?;

H) INFORMATION CONCERNING UNION-FINANCED BENEFIT PROGRAMS AND FRINGE BENEFITS PROVIDED BY COLLECTIVE BARGAINING, INCLUDING THE TYPES OF BENEFITS, FINANCING ARRANGEMENTS, ETC., JUXTAPOSED AGAINST A LISTING OF THE TYPES OF PROGRAMS PROVIDED BY LAW THROUGH STATE AND FEDERAL GOVERNMENTS; OF PARTICULAR INTEREST WOULD BE TYPICAL FINANCING ARRANGEMENTS FOR UNION HOUSING, PENSION AND MEDICAL/DENTAL/HOSPITALIZATION INSURANCE PLANS;

I) JOINT LABOR/MANAGEMENT DETERMINATION OF PLANT POLICIES, INCLUDING DETERMINATION OF WORK RULES, SENIORITY, PROMOTION AND JOB ASSIGNMENTS; UNION HIRING HALL EXPERIENCES; EMPLOY-
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MENT AND STABILIZATION INNOVATIONS IN CONNECTION WITH AUTOMATION; CURRENT TRENDS IN RESTRICTIVE WORK RULES, FULL CREW RULES, ETC.; TRENDS IN GUARANTEED WORK OR INCOME;

J) WORKER CO-MANAGEMENT AND WORKER OWNERSHIP EXPERIMENT IN THE US;

K) RECENT US TRADE UNION ELECTION PRACTICES (I.E. WHETHER BY SLATES OR BY INDIVIDUAL CANDIDACIES); RECENT TRENDS IN ELECTION ISSUES, FACTIONAL FIGHTS AND OPPOSITION RIGHTS; DEGREE TO WHICH CONTENDERS REPRESENT OPPOSING VIEWS ON BROAD POLITICAL ISSUES OR OPPOSING POLITICAL PHILOSOPHIES AND DEGREE TO WHICH IT IS POSSIBLE TO DRAW A POLITICAL MAP OF CURRENT LABOR LEADERSHIP IN THE US;

L) RECENT LABOR PACKET MATERIALS ARE SUFFICIENT TO HELP US WITH LABOR'S POLITICAL ROLE, BUT WOULD APPRECIATE LIST OF MEMBERS OF 1977 US CONGRESS WITH TRADE UNION BACKGROUND ELECTED WITH SUPPORT OF UNIONS; LEGAL RESTRICTIONS ON UNION FINANCING OF POLITICAL CAMPAIGNS.

2. COULD ALSO USE GOOD DESCRIPTION AND DISCUSSION OF THE CRITERIA, NORMS OR STANDARDS APPLIED BY THE ILO IN DETERMINING WHETHER THE LAWS AND PRACTICES OF A GIVEN COUNTRY ARE IN CONFORMITY WITH ILO CONVENTIONS AND RECOMMENDATIONS ON TRADE UNION LIBERTY AND COLLECTIVE BARGAINING, INCLUDING THE DEGREE TO WHICH TRADE UNION RECOMMENDATIONS OR CERTIFICATION REQUIREMENTS ARE ALLOWABLE UNDER THESE CONVENTIONS.

3. THE 100,000 PLUS MEMBER "FEDERACION DE ASOCIACIONES DE TRABAJADORES DE LA SANIDAD ARGENTINA" (FATSA) IS INTERESTED IN

EXCHANGING INFORMATION WITH A CORRESPONDING UNION OR UNIONS
IN THE US. FATSIA IS COMPOSED OF EMPLOYEES OF BOTH HOSPITALS
AND CLINICS AND PHARMACEUTICAL LABORATORIES/MEDICAL SUPPLIES
INDUSTRY SUCH AS THE 3 MS, SQUIBB AND JOHNSON AND JOHNSON.
REQUEST BASIC INFORMATION CONCERNING SIMILAR UNIONS IN US,
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INCLUDING MEMBERSHIPS, NAMES OF OFFICERS, ADDRESSES,
TYPICAL COLLECTIVE BARGAINING AGREEMENTS, ETC.

4. AT THE REQUEST OF THE LEDESMA SUGAR/PAPER COMPANY, WOULD
APPRECIATE DEPT OF LABOR'S ADVICE WHETHER IT IS AWARE
OF ANY EDUCATIONAL FILMS OR OTHER AIDS WHICH MIGHT BE USEFUL
IN ORIENTING PAPER PLANT WORKERS TO ADOPT SAFETY MEASUREW
AGAINST NOISE POLLUTION. LEDESMA'S PROBLEM IS HOW TO
CONVINCE WORKERS TO USE EARPLUGS SIMILAR TO THOSE EMPLOYED
BY AIRPORT PERSONNEL....

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Message Attributes

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